

**FEBRUARY 4, 2008**

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

WALTER N. KOSCH, WALTER T. KOSCH, and )  
THE SONNENSCHNEID GROUP, a defacto )  
limited liability company, )

Plaintiffs, )

v. )

FFIC/BEAM, INCORPORATED, a Philippine )  
corporation, FFIC/BEAM, INC. NEW JERSEY, )  
FFIC/BEAM WASHINGTON, THE BOARD OF )  
DIRECTORS OF FFIC/BEAM, INCORPORATED )  
consisting of ROBERT FIELDS, Managing Director, )  
REYNALDO SANTOS, PRIMROSE E. AUTAJAY, )  
RELU E. AUTAJAU, SOLEDAD O. HERNANDEZ, )  
JOSEFA T. DORAN, VICENTE A. CALIJO, )  
STELLA V. CALIBJO, JOHN NG, PAUL D. )  
CHAFIOTTE, EDWARD J. VILLANUEVA, )  
ROBERT FIELDS, an individual, )  
KARL NEUBACHER an individual, TIMOTHY )  
SLIFKIN, an individual, ALLIED MORTGAGE )  
GROUP, a corporation, METROPOLITAN )  
FINANCIAL SERVICES, INC., a corporation and )  
AARON RANSOM, an individual, )

Defendants. )

Case No.

**08 C 750**

**JUDGE MANNING  
MAGISTRATE JUDGE MASON**

(State Court No. 07 L 14112)

**NOTICE OF FILING OF NOTICE OF REMOVAL  
TO UNITED STATES DISTRICT COURT**

TO: (See Attached Service List)

**PLEASE TAKE NOTICE** that on February 4, 2008, Allied Mortgage Group, Inc., a defendant in this action originally pending in the Circuit Court of Cook County, Illinois, as Case No. 07 L 14112, filed in the United States District Court for the Northern District of Illinois its Notice of Removal of this action to the United States District Court for the Northern District of Illinois. A copy of the Notice of Removal, with exhibits, is attached hereto.

ALLIED MORTGAGE GROUP, INC.

By: /s Jeffrey D. Pilgrim  
One of its Attorneys

Michael R. Turoff  
Jeffrey D. Pilgrim  
Arnstein & Lehr LLP  
120 South Riverside Plaza  
Suite 1200  
Chicago, IL 60606  
(312) 876-7100

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

WALTER N. KOSCH, WALTER T. KOSCH, and  
THE SONNENSCHNEID GROUP, a defacto  
limited liability company,

Plaintiffs,

**V.**

FFIC/BEAM, INCORPORATED, a Philippine corporation, FFIC/BEAM, INC. NEW JERSEY, FFIC/BEAM WASHINGTON, THE BOARD OF DIRECTORS OF FFIC/BEAM, INCORPORATED consisting of ROBERT FIELDS, Managing Director, REYNALDO SANTOS, PRIMROSE E. AUTAJAY, RELU E. AUTAJAU, SOLEDAD O. HERNAEZ, JOSEFA T. DORAN, VICENTE A. CALIJO, STELLA V. CALIBJO, JOHN NG, PAUL D. CHAFIOTTE, EDWARD J. VILLANUEVA, ROBERT FIELDS, an individual, KARL NEUBACHER an individual, TIMOTHY SLIFKIN, an individual, ALLIED MORTGAGE GROUP, a corporation, METROPOLITAN FINANCIAL SERVICES, INC., a corporation and AARON RANSOM, an individual,

Case No.

(State Court No. 07 L 14112)

Defendants.

## NOTICE OF REMOVAL

TO: THE HONORABLE JUDGES OF THE COURT

Defendant, Allied Mortgage Group, Inc. (“Allied”), by its attorneys, submits this Notice of Removal pursuant to 28 U.S.C. §§ 1331, 1332, 1441 and 1446. In support, Allied states as follows:

1. Allied is a defendant in the above-entitled action.
2. On December 19, 2007, Plaintiffs filed a complaint (“Complaint”) against Allied and the other defendants in the above-entitled action in the Circuit Court of Cook County, Illinois.

3. On January 3, 2008, Allied was served with a summons and a copy of the Complaint. Thus, pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely because it was filed within 30 days after Allied's receipt, through service, of a copy of the Complaint.

4. This action is one over which this Court has original jurisdiction under the provisions 28 U.S.C. § 1331, as Plaintiffs' Complaint attempts to assert claims under the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961-1968. This Court also has original jurisdiction over this action under the provisions of 28 U.S.C. § 1332, as the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and Plaintiffs' action is between citizens of different States and citizens or subjects of a foreign state. In this regard, Allied is a Pennsylvania corporation with its principal place of business in Pennsylvania; Defendant Metropolitan Financial Services, Inc. is a Michigan corporation with its principal place of business in Michigan; and the respective citizenship of Plaintiffs and the remaining defendants is alleged in the Complaint. Thus, this action may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441.

5. As of February 4, 2008, no other defendant has been served in this case. Accordingly, the consent of the other defendants to removal is not required. *See, e.g., Shaw v. Dow Brands, Inc.*, 994 F.2d 364, 369 (7<sup>th</sup> Cir. 1993); *P.P. Farmers' Elevator Co. v. Farmers Elevator Mut. Ins.*, 395 F.2d 546, 547-48 (7<sup>th</sup> Cir. 1968).

7. Pursuant to 28 U.S.C. § 1446(d), Allied is concurrently providing written notice of this removal to counsel for Plaintiffs, and will file a copy of this Notice of Removal with the Clerk of the Circuit Court of Cook County, Illinois.

8. True and correct copies of all state court pleadings in this action are attached hereto as Exhibit A.

WHEREFORE, Defendant, Allied Mortgage Group, Inc., requests that the above-entitled action be removed from the Circuit Court of Cook County, Illinois, to this Court.

ALLIED MORTGAGE GROUP, INC.

By: /s Jeffrey D. Pilgrim  
One of its Attorneys

Michael R. Turoff  
Jeffrey D. Pilgrim  
Arnstein & Lehr LLP  
120 South Riverside Plaza  
Suite 1200  
Chicago, IL 60606  
(312) 876-7100

**CERTIFICATE OF SERVICE**

Jeffrey D. Pilgrim, an attorney, certifies that he served the foregoing **Notice of Filing of Notice of Removal** and **Notice of Removal** on the parties listed below at the respective address via the U.S. Mail on February 4, 2008:

Michael Lee Tinaglia  
Law Offices of Michael Lee Tinaglia, Ltd.  
9700 West Higgins Road, Suite 1015  
Rosemont, Illinois 60018

/s Jeffrey D. Pilgrim